

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MANUEL D. GUTIERREZ,

Plaintiff,

v.

No. 23cv26 WJ/KK

BOARD OF COMMISSIONERS OF BERNALILLO COUNTY, *et al*,

Defendant.

ORDER TO CURE DEFICIENCIES

This matter is before the Court on Plaintiff's Letter Regarding Civil Rights Claims (Doc. 1) (Letter). Plaintiff is detained at the Metropolitan Detention Center (MDC) and is proceeding *pro se*. The Letter indicates he wishes to file a 42 U.S.C. § 1983 civil rights complaint. On January 10, 2023, the Clerk's Office sent Plaintiff a blank civil rights complaint form and a blank motion to proceed *in forma pauperis*. Plaintiff must return the completed civil rights complaint within thirty (30) days of entry of this Order. By the same deadline, Plaintiff must also pay the \$402 filing fee or, alternatively, file a motion to proceed *in forma pauperis* along with an inmate account statement reflecting transactions between July 9, 2022, and January 9, 2023. The failure to timely comply with both directives may result in dismissal of this case without further notice.

IT IS ORDERED that, no later **than February 21, 2023**, Plaintiff must: (1) file a complaint; and (2) pay the \$402 filing fee or submit an *in forma pauperis* motion that attaches an account statement reflecting transactions between July 9, 2022, and January 9, 2023.

IT IS SO ORDERED.



KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE